IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2204 of 1994

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUJARAT STATE ROAD TRANSPORT CORPORATION - Petitioner(s)

Versus

JAYANTGIRI RATANGIRI - Respondent(s)

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Appearance :

MR PRANAV G DESAI for Petitioner No(s).: 1.

MR MUKESH H RATHOD for Respondent No(s).: 1.

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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 02/08/2005

ORAL JUDGMENT

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1.0 The petitioner Corporation has challenged the award dated 30.10.1993 passed by the Industrial Tribunal,

Rajkot in Reference ITR No. 263 of 1988, whereby the order of punishment was modified to stoppage of two increments with cumulative effect and the petitioner was directed to pay the amount of difference to the respondent.

2.0 The brief facts of the case are that the respondent herein was working as a Conductor with the petitioner Corporation. On 01.06.1983 while the respondent was on duty the bus was checked by the Checking Squad of the petitioner and the Squad found certain irregularities in the issuance of tickets by the respondent. Therefore, charge-sheet was issued and departmental inquiry was held against the respondent. Since the charges were proved, punishment of putting the respondent on his original scale of pay was passed by the authority.

2.1 Being aggrieved by the said order, the respondent raised a dispute, which, ultimately, culminated into a reference. The Labour Court, vide impugned award, modified the order of punishment as aforesaid. Hence, this petition.

3.0 I have heard learned counsel for the parties and

perused the documents placed on record. The Tribunal while passing the impugned award has given the benefit of doubt to the respondent workman. I am in complete agreement with the reasonings given by the Tribunal in its award and find no reason to interfere in this petition. Hence, the petition deserves to be dismissed.

4.0 In above view of the matter, the petition is dismissed. Rule is discharged with no order as to costs.

(K. S. JHAVERI, J.)

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